

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

PAINTERS DISTRICT COUNCIL)
NO. 2, et al.,)
)
Plaintiffs,)
)
vs.)
)
DART DEVELOPMENT, LLC,)
)
Defendant.)

Case No. 4:07CV1046 RWS

MEMORANDUM AND ORDER

On November 1, 2012, I issued an order which set a hearing today at 9:30 a.m. of Plaintiff's motion to compel discovery from Defendant. I directed Plaintiff to serve a copy of my order on Defendant and on Defendant's agent, Kevin L. Jones, Sr. My order stated that Jones must appear in person at the hearing. Plaintiff filed an affidavit stating Defendant and Jones were served on December 14, 2012.

Plaintiff appeared at today's hearing. Jones failed to appear. I am resetting the hearing to be held on December 4, 2012 at 11:00 a.m. I will instruct the United States Marshal Service to take Kevin L. Jones into custody and to deliver him to that hearing. Jones shall also show cause why he should not be held in contempt for failing to comply with my previous order. Plaintiffs shall *personally* serve a copy of this order upon Jones with all due speed.

Accordingly,

IT IS HEREBY ORDERED that a hearing of Plaintiffs' motion to compel is set on **December 4, 2102 at 11:00 a.m.** in Courtroom 16 South. **Kevin L. Jones, Sr. must appear in person at the hearing.**

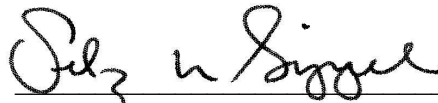
IT IS FURTHER ORDERED that the United States Marshal Service is directed to take

Kevin L. Jones, Sr. into custody and deliver him to Courtroom 16 South of the Thomas F. Eagleton United States Courthouse to appear at that hearing. Two addresses where Jones may be found are listed in Plaintiff's return of service affidavit [doc. # 49].

IT IS FURTHER ORDERED that Plaintiffs' must serve a copy of this order by personal service upon Kevin L. Jones, Sr.

IT IS FURTHER ORDERED that Kevin L. Jones, Sr. shall show cause no later than **December 4, 2012** why he failed to comply with my order of November 1, 2012.

IT IS FURTHER ORDERED that the Clerk of Court shall provide a copy of this order to the United States Marshal Service.

A handwritten signature in black ink, appearing to read "Rodney W. Sippe", written over a horizontal line.

RODNEY W. SIPPEL
UNITED STATES DISTRICT JUDGE

Dated this 20th day of November, 2012.